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Trump's Lawyers Are Begging Him for Restraint. His Political Allies Are Preparing to 'Fight Dirty'

As Trump's allies dig for dirt, Manhattan D.A. Alvin Bragg and fellow legal system officials face threats of real-world violence

BY TIM DICKINSON, ASAWIN SUEBSAENG, ADAM RAWNSLEY

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BRANDON BELL/GETTY IMAGES)

DONALD TRUMP'S POLITICAL allies are preparing an all-out blitz against Manhattan District Attorney Alvin Bragg, judge Juan Merchan, and anyone else in the American judicial system who dares cross him. But as his political operation gears up, the former president's own lawyers are pleading with him to show a modicum of restraint.

Trump's defenders and several trusted associates are working up game plans to "fight dirty" against Bragg and the judge, a person close to Trump says. In practice, that means treating Bragg like a partisan rival during campaign season, including via longtime political allies assembling opposition research files and searching for new dirt on Bragg and others, according to two sources with knowledge of the matter.

Some of Trump's attorneys, however, have practically begged him recently to tone down certain public statements and social-media missives, advising him at the very least to refrain from ones that can easily be construed as violent threats, sources familiar with the situation say.

Trump himself, offered the choice between practicing restraint and pursuing the brand of politics that at this point is almost eponymous, has made a predictable choice: Trump remains determined to wage his messaging war against Bragg, Merchan, and other law enforcement officials with his usual enthusiasm for innuendo and catty mud-slinging. In public, the former president slags the DA as an "animal" and the authorities as "perverts"; in private, Trump has relished insulting Bragg on the most personal of terms, including by insulting his weight. (A Trump spokesman did not return a request for comment.)

In recent weeks, Trump has also attempted to expand his legal team defending him against these criminal charges, with varying degrees of success. Not long before his Tuesday arraignment, Trump added Todd Blanche to the defense, joining lawyers Susan Necheles and Joe Tacopina. But one source familiar with the matter and another person briefed on it say that Trump personally, as well as some of his advisers, had attempted multiple times to recruit celebrity attorney Alan Dershowitz to Trump's legal team in the Manhattan case. Dershowitz — who served on Trump's defense for his first impeachment and regularly defends Trump in the media — has so far declined all such offers.

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Meanwhile, powerful Republican lawmakers on Capitol Hill are preparing to use the levers of the legislative branch to run interference for Trump following his historic arrest and arraignment in Manhattan this week. On Thursday, House Judiciary chairman Jim Jordan (R-Ohio) subpoenaed Mark Pomerantz — formerly a prosecutor on Bragg’s team — to come before the committee for a deposition later this month. This comes after weeks of Trump-aligned politicians suggesting that Bragg should be thrown in jail. Trump himself has already been briefed on plans for how Republicans could wield the Justice Department to go after Bragg, especially if Trump wins the presidency in 2024.

Similarly, influential right-wing organizations tightly allied with Trump are now attempting to erode public confidence in Bragg’s case. Under New York law, the falsification of business records is a felony only when it’s done to further a separate crime. Bragg has not — either in the indictment or public comments — been explicit about this secondary crime. However Trump’s former fixer Michael Cohen has already served federal prison time because the hush money he paid to Stormy Daniels constituted an illegal campaign contribution.

Tom Fitton, the conservative activist, informal Trump adviser, and president of Judicial Watch, tweeted Wednesday night that his group had filed a freedom of information request with the Federal Election Commission to see what guidance it had given Bragg’s office. “They came back with no records,” Fitton tells *Rolling Stone*. “Bragg is prosecuting — for the first time in the history of the country a former President and current presidential candidate — on federal elections crimes, but there have been no communications with the federal agency responsible for the enforcement of the laws.” (The judicial record of Cohen’s hush-money crime, independent of the FEC, is extensive.)

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During Trump's Tuesday arraignment, judge Juan Merchan warned Trump to "refrain" from comments that could "incite violence or civil unrest." This admonition followed Trump's earlier outlandish behavior. In a since-deleted March 23 Truth Social post, Trump featured a split photo that juxtaposed him with a baseball bat next to prosecutor Bragg's head. In a Truth post the following day, Trump warned of "potential death and destruction" that could arise from the "false charge" he was facing.

Yet in his address at Mar-a-Lago that same night, Trump railed against Merchan personally: "I have a Trump hating judge, with a Trump hating wife and family," he said, rambling on about the judge's adult daughter's professional connections to Democratic politics. (Merchan previously oversaw a fraud case against the Trump Organization.)

Trump's inflammatory rhetoric has correlated with dangerous, real world behavior. Merchan has now received "dozens" of threats, NBC reported Wednesday. He joins Bragg in that unfortunate company. After news first broke about an expected Trump indictment, the DA's office received a menacing bag of white powder and a note that reportedly read: "ALVIN: I AM GOING TO KILL YOU!!!!!!!!!!!!!!" (The powder was determined not to be dangerous.)

Fitton, the Judicial Watch leader, defends Trump's bombast. "The idea that criticizing a judge in a factual way — even an aggressive way — is inappropriate? No, that's not the way America works," he insists. "The President has a right to raise concerns about the bias of a judge," Fitton says, adding as an aside: "Whether it's something he wants to do as a defendant, I think people can dispute."

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As for the threats Merchan and Bragg have been subject to? Fitton insists, "it's unfortunate, terrible, and should be investigated." But, he adds, it's part of the cost of our free society. "The

idea that someone criticizing a judge, in a highly politicized case, is somehow responsible for subsequent death threats would effectively shut down the First Amendment.”

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Opposition research on Judge Merchan is already bubbling up from the pro-Trump media world. The Gateway Pundit, a conspiracy-addled pro-Trump site, set the agenda for claims of bias against the former president with a series of stories that combed through information about Merchan’s family and political contributions. One piece claimed that Merchan’s daughter had worked for Vice President Kamala Harris’s campaign while another expressed shock that Merchan had donated a total of \$35 to Biden’s campaign and two liberal groups. Gateway Pundit’s stories were aggregated by right-wing media outlets like Breitbart and soon landed on Donald Trump Jr’s Truth Social account, with the quip that it revealed “yet another connection in this hand picked democrat show trial.”

Of course, Trump isn’t just targeting local law enforcement in New York. In an all-caps rant on Truth Social Wednesday morning, Trump blasted federal officials — an evident reaction to the legal jeopardy he also faces from the Special Counsel investigation into his mishandling of classified documents: “Republicans in Congress should defund the DOJ and FBI until they come to their senses,” Trump wrote, accusing Democrats of having “totally weaponized law enforcement in our country” and “viciously using this abuse of power to interfere with our already under siege elections!”

Hours later, on The Donald — an online forum populated by many extremist followers of the ex-president — a top post reacted to the screeds against the Justice Department by Trump as well as by Rep. Marjorie Taylor Greene. The highest-ranking comments on a post titled “Charge the FBI for election interference” included thinly veiled threats at FBI agents. “Somebody THROW A FREAKING PIE ALREADY,” user BabbleRabble wrote. “Funny way to say grenade,” responded user pushbackv2. Hanging_Chad chimed in: “Not all field office roofs are pie proof.”

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Trump’s diatribes against law enforcement have prominently highlighted the race of his prosecutors, or their (tenuous) links to high-profile Jewish donors. These remarks also appear to be stirring the fever swamps.

In his Mar a Lago speech Trump railed against Bragg as a “radical-left, George Soros-backed prosecutor.” He referred to Fani Willis, the law enforcement official leading the investigation of his alleged 2020 election interference in Georgia, as “a local racist Democrat district attorney in Atlanta.” He likewise decried his “persecution” in civil litigation at the hands of New York Attorney General Letitia James, whom he blasted as “another racist in reverse.”

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Such attacks are feeding the narrative of far right-voices who traffic in smears that politically powerful Black Americans are seeking revenge on whites. Pete Santilli is a reactionary broadcast personality, who gained infamy covering the Bundy occupation of the Malheur Wildlife Refuge in 2016. He reacted to Trump’s arrest by railing against Bragg as a “frickin’ Black communist” — describing the DA as part of a new cabal of Black leaders seeking “reparations” and retribution.

“These Black Satanic communists have taken over the bureaucracy, and they’re getting back at The Man,” Santilli said, before restating himself, in case the dog whistle wasn’t clear the first time: “Taking down the White Man.”

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